

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Broadview Networks, Inc. for a  
Certificate of Public Convenience and Necessity to  
Provide Resold and Facilities-Based Interexchange  
Telecommunications Services in the State of South  
Carolina and for Alternative Regulation First  
Approved in Docket No. 95-661-C

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET  
NUMBER: 2007 - 413 - C

(Please type or print)

Submitted by: John J. Pringle, Jr.

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda  
expeditiously

☐ Other:

INDUSTRY (Check one)

- ☐ Electric  
☐ Electric/Gas  
☐ Electric/Telecommunications  
☐ Electric/Water  
☐ Electric/Water/Telecom.  
☐ Electric/Water/Sewer  
☐ Gas  
☐ Railroad  
☐ Sewer  
☒ Telecommunications  
☐ Transportation  
☐ Water  
☐ Water/Sewer  
☐ Administrative Matter  
☐ Other:

NATURE OF ACTION (Check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Affidavit                 | <input type="checkbox"/> Letter                            | <input type="checkbox"/> Request                   |
| <input type="checkbox"/> Agreement                 | <input type="checkbox"/> Memorandum                        | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Answer                    | <input type="checkbox"/> Motion                            | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Appellate Review          | <input type="checkbox"/> Objection                         | <input type="checkbox"/> Resale Agreement          |
| <input type="checkbox"/> Application               | <input type="checkbox"/> Petition                          | <input type="checkbox"/> Resale Amendment          |
| <input type="checkbox"/> Brief                     | <input type="checkbox"/> Petition for Reconsideration      | <input type="checkbox"/> Reservation Letter        |
| <input type="checkbox"/> Certificate               | <input type="checkbox"/> Petition for Rulemaking           | <input type="checkbox"/> Response                  |
| <input type="checkbox"/> Comments                  | <input type="checkbox"/> Petition for Rule to Show Cause   | <input type="checkbox"/> Response to Discovery     |
| <input type="checkbox"/> Complaint                 | <input type="checkbox"/> Petition to Intervene             | <input type="checkbox"/> Return to Petition        |
| <input type="checkbox"/> Consent Order             | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation               |
| <input type="checkbox"/> Discovery                 | <input checked="" type="checkbox"/> Prefiled Testimony     | <input type="checkbox"/> Subpoena                  |
| <input type="checkbox"/> Exhibit                   | <input type="checkbox"/> Promotion                         | <input type="checkbox"/> Tariff                    |
| <input type="checkbox"/> Expedited Consideration   | <input type="checkbox"/> Proposed Order                    | <input type="checkbox"/> Other:                    |
| <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest                           |  |
| <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit             |  |
| <input type="checkbox"/> Late-Filed Exhibit        | <input type="checkbox"/> Report                            |  |

Print Form

Reset Form

# ELLIS:LAWHORNE

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January 22, 2008

**FILED ELECTRONICALLY AND ORIGINAL VIA 1<sup>ST</sup> CLASS MAIL SERVICE**

The Honorable Charles L.A. Terreni  
Chief Clerk

**South Carolina Public Service Commission**

Post Office Drawer 11649  
Columbia, South Carolina 29211

RE: Application of Broadview Networks, Inc. for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Interexchange Telecommunications Services in the State of South Carolina and for Alternative Regulation First Approved in Docket No. 95-661-C  
**Docket No. 2007-413-C, ELS File No. 582-11445**

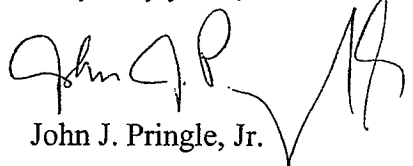
Dear Mr. Terreni:

Enclosed is the original and one (1) copy of the **Direct Testimony of Charles C. Hunter** filed on behalf of Broadview Networks, Inc. in the above-referenced docket.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it in the enclosed envelope.

If you have any questions or need additional information, please do not hesitate to contact me.

Very truly yours,

  
John J. Pringle, Jr.

JJP/cr

cc: Nannette S. Edwards, Esquire/C. Lessie Hammonds, Esquire  
(via electronic and 1<sup>st</sup> class mail service)  
Mr. Charles C. Hunter (via 1<sup>st</sup> class mail service)  
Catherine M. Hannan, Esquire (via electronic and 1<sup>st</sup> class mail service)

Enclosures

**THIS DOCUMENT IS AN EXACT DUPLICATE OF THE E-FILED COPY SUBMITTED TO THE COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC FILING INSTRUCTIONS.**

**BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2007-413-C**

**In the Matter of the Application of )  
BROADVIEW NETWORKS, INC. )  
For a Certificate of Public Convenience and )  
Necessity to Provide Resold and Facilities- )  
Based Interexchange Telecommunications )  
Services in the State of State Carolina )**

**DIRECT TESTIMONY OF  
CHARLES C. HUNTER**

1   **Q.     PLEASE STATE YOUR NAME, POSITION AND BUSINESS ADDRESS.**

2   A.    My name is Charles C. Hunter. I am Executive Vice President, Secretary and General  
3        Counsel of Broadview Networks, Inc.

4   **Q.     PLEASE BRIEFLY DESCRIBE YOUR BACKGROUND, INCLUDING**  
5        **EDUCATIONAL AND BUSINESS EXPERIENCES.**

6   A.    I have served as Executive Vice President, Secretary and General Counsel of Broadview  
7        since 2003. I have practiced telecommunications law for more than 25 years and  
8        represented competitive providers of communications services for well over a decade.  
9        Prior to joining Broadview, I headed the Hunter Communications Law Group, P.C., a  
10       District of Columbia-based boutique telecommunications law firm with a nationwide  
11       clientele. I began my legal career as a trial attorney with the Federal Maritime  
12       Commission and afterwards was a partner specializing in telecommunications matters at  
13       the Chicago-based law firm of Gardner, Carton and Douglas and the District of  
14       Columbia-based law firm of Herron, Burchette, Ruckert and Rothwell.

15

1 Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THIS COMMISSION?

2 A. No, I have not.

3 Q. ARE YOU FAMILIAR WITH THE APPLICATION FILED BY BROADVIEW?

4 A. Yes. I assisted in the preparation of the Application.

5 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

6 A. The purpose of my testimony is to describe the technical, managerial and financial fitness  
7 of Broadview to provide resold and facilities-based interexchange telecommunications  
8 services within the State of South Carolina. This testimony will also describe the service  
9 to be provided by Broadview. Finally, my testimony will show that the public interest  
10 will be served by the approval of Broadview's Application.

11 Q. ARE ALL OF THE STATEMENTS IN BROADVIEW'S APPLICATION  
12 CORRECT AND TRUE TO THE BEST OF YOUR KNOWLEDGE,  
13 INFORMATION AND BELIEF?

14 A. Yes.

15 Q. DO YOU WISH TO INCORPORATE BY REFERENCE ANY DOCUMENTS  
16 INTO THIS TESTIMONY?

17 A. Yes. I wish to incorporate, by reference, Broadview's underlying Application filed in  
18 this proceeding and its associated exhibits.

19 Q. DO YOU RATIFY AND CONFIRM THE STATEMENTS AND  
20 REPRESENTATIONS MADE IN THAT APPLICATION AND ALL EXHIBITS  
21 THERETO?

22 A. Yes.

23 Q. HAS APPLICANT REGISTERED TO DO BUSINESS IN SOUTH CAROLINA?

1 A. Yes. Broadview received foreign corporation authority in South Carolina on September  
2 6, 2007. A copy was attached as Exhibit A to the Application.

3 Q. **HAS ANYTHING OCCURRED SINCE THE APPLICATION OF BROADVIEW**  
4 **NETWORKS, INC. WAS FILED THAT MATERIALLY CHANGES THE**  
5 **REPRESENTATIONS THEREIN?**

6 A. No. The representations made in the Application remain materially the same.

7 Q. **DESCRIBE THE AUTHORITY THAT BROADVIEW SEEKS BY ITS**  
8 **APPLICATION.**

9 A. Broadview seeks authority to provide all forms of long distance telecommunications  
10 services to the public on a resale basis and via its own facilities and/or those of affiliated  
11 entities or underlying Local Exchange Carriers.

12 Q. **DOES BROADVIEW PROPOSE TO OFFER TELECOMMUNICATIONS**  
13 **SERVICES TO BOTH RESIDENTIAL AND BUSINESS/COMMERCIAL**  
14 **CUSTOMERS?**

15 A. Yes.

16 Q. **DO THE PRINCIPALS AND EMPLOYEES OF BROADVIEW HAVE**  
17 **PREVIOUS TELECOMMUNICATIONS EXPERIENCE?**

18 A. Yes. As described in Exhibit E of the Application, the officers and senior management of  
19 Broadview have considerable previous telecommunications experience.

20 Q. **PLEASE DESCRIBE BROADVIEW'S FINANCIAL QUALIFICATIONS TO**  
21 **PROVIDE TELECOMMUNICATIONS SERVICES IN SOUTH CAROLINA.**

22 A. As set forth in the financial statements found at Exhibit D to the Application, Broadview  
23 has access to sufficient capital to provide telecommunications services in South Carolina.

1 This capital, along with future capital financed by expected revenues of Broadview, will  
2 be available to meet future capital needs of Broadview's South Carolina operations.

3 **Q. DOES BROADVIEW INTEND TO OFFER PREPAID DEBIT CARD SERVICES**  
4 **IN SOUTH CAROLINA?**

5 A. Not at this time. Broadview is aware of the Commission's \$5,000 bond or certificate of  
6 deposit requirement associated with prepaid debit card services, and will file such an  
7 instrument with the Commission should Broadview decide to offer these services in the  
8 future.

9 **Q. HOW DOES APPLICANT BILL FOR ITS SERVICES?**

10 A. Broadview will bill customers directly.

11 **Q. HOW ARE TROUBLE REPORTS AND CUSTOMER COMPLAINTS**  
12 **HANDLED?**

13 A. Broadview Customer Care representatives and 24-hour automated customer assistance  
14 allow customers to bring service, billing and repair questions or complaints to the  
15 Company's attention 24 hours a day, 7 days a week. Customers may access Broadview  
16 Customer Care toll-free at (800) 276-2384 to initiate service complaints or to receive  
17 updates on reported problems or pending customer service complaints. Customers may  
18 also contact Broadview Customer Care 24 hours a day via the company's website,  
19 [www.broadviewnet.com](http://www.broadviewnet.com). Inquiries regarding service or billing may also be made in  
20 writing. Broadview has also implemented a multi-tiered complaint escalation procedure  
21 to ensure the rapid resolution of trouble reports and customer complaints.

22 **Q. DOES BROADVIEW HAVE OFFICES IN SOUTH CAROLINA?**

1 A. No, Broadview does not intend to have offices in South Carolina at this time.  
2 Accordingly, Broadview requests, pursuant to Rule 103-610, that the Commission allow  
3 it to keep all applicable books and records at its offices in New York. In the event that  
4 the Commission or ORS should desire to inspect such books and records, Broadview will  
5 provide access expeditiously at its own expense.

6 **Q. DOES BROADVIEW INTEND TO FILE AN OPERATING AREA MAP WITH**  
7 **THE COMMISSION?**

8 A. No. Because Broadview will operate on a statewide basis, Broadview requests that it not  
9 be required to create and file any such operating area map as required by Commission  
10 Rule.

11 **Q. HOW WILL BROADVIEW MARKET ITS SERVICES?**

12 A. Broadview will market its services through a direct sales team. Broadview will not  
13 engage in any telemarketing activities.

14 **Q. HAS BROADVIEW OBTAINED AUTHORITY TO PROVIDE ITS SERVICES IN**  
15 **ANY OTHER STATES?**

16 A. Yes. Broadview is presently authorized to provide local exchange and interexchange  
17 long distance telecommunications services in the States of Connecticut, Massachusetts,  
18 New Hampshire, New York, New Jersey, Pennsylvania and Rhode Island. The Company  
19 is also certified, registered or otherwise authorized to provide interexchange, long  
20 distance services in the States of California, Delaware, Florida, Georgia, Maine,  
21 Maryland, North Carolina, Ohio, Texas, Vermont, Virginia and West Virginia and  
22 Wyoming.

23 **Q. PLEASE DESCRIBE THE PROPOSED TARIFF FILED BY BROADVIEW.**

1 A. Broadview filed as Exhibit F to the Application its proposed long distance  
2 telecommunications service tariff. That tariff contains the applicable rules and  
3 regulations for the provision of such services. I believe that Broadview's tariffs will  
4 comport with all applicable Commission Rules and Orders, and Broadview agrees to  
5 make all changes suggested by the ORS that may be necessary to comply with applicable  
6 authority.

7 **Q. WILL GRANTING BROADVIEW A CERTIFICATE SERVE THE PUBLIC**  
8 **INTEREST OF SOUTH CAROLINA CONSUMERS?**

9 A. Yes. A decision by the Commission to grant Broadview authority to provide  
10 interexchange telecommunications service is in the best interest. The public interest will  
11 be served by expanding the availability of competitive telecommunications services and  
12 enhanced telecommunications infrastructure in the State of South Carolina, thereby  
13 facilitating economic development. Authorizing Broadview to enter the  
14 telecommunications services market will increase the competitive choices available, and  
15 in turn create incentives for all carriers to lower prices, provide new and better quality  
16 services, and be more responsive to customer issues and demands.

17 **Q. WHO IS KNOWLEDGEABLE ABOUT BROADVIEW'S OPERATIONS AND**  
18 **WILL SERVE AS THE COMMISSION'S/ORS'S REGULATORY AND**  
19 **CUSTOMER SERVICE CONTACT?**

20 A. All ongoing compliance matters should be directed by my attention. Customer complaint  
21 and billing matters should be directed to Ms. Chenoa Edwards at Broadview Networks,  
22 Inc., 800 Westchester Avenue, Suite N-501, Rye Brook, NY 10573, telephone (800)  
23 27602384, facsimile (914) 922-7001, cedwards@broadviewnet.com.



1 Q. WILL BROADVIEW COMPLY WITH ALL OF THE APPLICABLE RULES,  
2 REGULATIONS AND ORDERS OF THE COMMISSION?

3 A. Yes.

4 Q. DOES THIS COMPLETE YOUR TESTIMONY?

5 A. Yes.